

# PLACER COUNTY BOARD OF SUPERVISORS MINUTES

The Placer County Board of Supervisors met in a regular session at 9:00 a.m., Tuesday, January 9, 2007, in the County Administrative Center, 175 Fulweiler Avenue, Auburn. Supervisors Rockholm, Weygandt, Holmes, Uhler and Kranz present. Chairman Kranz presiding; Ann Holman, Clerk of the Board. Also present were County Executive Thomas Miller and County Counsel Anthony J. La Bouff.

## BOARD OF SUPERVISORS/REORGANIZATION OF THE BOARD:

- a. Approved Bruce Kranz as Chairman for 2007.  
MOTION Holmes/Uhler/Unanimous
- b. Approved Jim Holmes as Vice Chairman for 2007.  
MOTION Kranz/Rockholm/Unanimous

**PUBLIC COMMENT** - Rosemary Frieborn, Friends of the Animals, discussed issues relating to Animal Services. Christine Rydell, Placer County Field Representative for California State Senator Sam Aanestad, extended the Senators help to work with the County to help facilitate growth and retention of business in Placer County.

**SUPERVISOR'S COMMITTEE REPORTS** - Supervisor Holmes and Kranz advised of the methamphetamine awareness press conference held January 8, 2007.

**NOTE:** Thomas Miller, County Executive, advised the 2<sup>nd</sup> Supplemental Agenda reflected on the Placer County website, regarding a Memorandum of Understanding with United Domestic Workers of America and the Placer County In-Home Supportive Services Public Authority would not be added to this agenda and would be brought before the Board at the next available meeting.

**CONSENT AGENDA (Items 10-21)** - Item 11, 12c, 18b, 18c, and 19h moved for discussion. Consent Agenda approved as amended with action as indicated. The Board also convened as the Redevelopment Agency Board for Item #21. MOTION Rockholm/Uhler/Unanimous

10. WARRANTS - Weeks ending December 8, 15, 22 and 31, 2006.

11. ORDINANCE - Second Reading:

- a. ~~MOVED FOR DISCUSSION Personnel/Civil Service Commission Ordinance amending Chapter 3, Section 3-12.020, Classified Service, for the classification of Flood Control & Water Conservation District Engineer.~~

12. BOARD OF SUPERVISORS:

- a. Ordinance introduced, first reading waived, providing for appointment of staff for members of the Board of Supervisors.
- b. Resolution 2007-1 adopted honoring Alfred "Bud" Nobill, for his 41 years of dedicated service to quality education.
- c. ~~MOVED FOR DISCUSSION Approve minutes of December 5, 2006.~~

13. COMMITTEES & COMMISSIONS:

- a. County Parks Commission - Accepted resignation of Edmund O. Mahany, Seat 1 and Russ Kelley, Seat 3 and approved appointment of David Tooker to Seat 3, as requested by Supervisor Holmes.
- b. Flood Control and Water Conservation District Board of Directors - Accepted resignation of John Rampala, Seat 9.
- c. Mental Health, Alcohol and Drug Advisory Board - Declared Seat 10 (Consumer) vacant, vacated by Caroli Gardner.
- d. North Tahoe Regional Advisory Council - Approved appointment of Rick Brown to Seat 2, as requested by Supervisor Kranz.
- e. Placer County Older Adult Advisory Commission - Approved reappointment of Jean P. Rios to Seat 14 (Senior Service Organization), as requested by Supervisor Holmes.
- f. Planning Commission - Approved appointment of Bill Santucci to Seat 1, (District 1), as requested by Supervisor Rockholm; reappointment of Mike Stafford to Seat 4 (District 4), as requested by Supervisor Uhler and Kenneth Denio, to Seat 2 (District 2), as requested by Supervisor Weygandt.

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- g. Roseville Public Cemetery District - Approved appointment of Bill Santucci to Seat 3, as requested by Supervisor Rockholm.
  - h. Rural Lincoln Municipal Advisory Council - Approved reappointment of Michael Whitney to Seat 1; George Alves to Seat 2; Mark Fowler to Seat 3 and Carla McAnally to Seat 5, as requested by Supervisor Weygandt.
14. COMMUNITY DEVELOPMENT RESOURCE AGENCY/PLANNING - Authorized the County Executive Officer to execute a second contract amendment with Adrienne Graham, in the amount of \$20,000, to provide planning services for the Placer Vineyards Project.
15. COUNTY EXECUTIVE/ECONOMIC DEVELOPMENT - Approved a budget revision, in the amount of \$6,000, to receive grant money from PG&E to help defray costs of developing an Economic Development Strategic Plan.
16. COUNTY EXECUTIVE/REDEVELOPMENT:
- a. Resolution 2007-2 adopted with findings authorizing execution of agreement between the Redevelopment Agency and Tahoe City Public Utility District, providing \$150,000 for the sewer pump station project located in the Tahoe City Marina, subject to review by County Counsel.
  - b. Resolution 2007-3 adopted making specific findings required by Health and Safety Code Section 33445, for the purchase of property located at the corner of Highway 28 and Chipmunk Street, Kings Beach, Assessor Parcel Number 090-370-006, in the amount of \$178,500, subject to review by County Counsel.
17. FACILITY SERVICES:
- a. Auburn Justice Center - Authorized Procurement Services to issue a purchase order with the Keller Group, in an amount not to exceed \$145,000, for common area furniture to be purchased through the California Multiple Award Schedule contract for the Auburn Justice Center, located in the Placer County Government Center.
  - b. Congestion Mitigation & Air Quality Program Funds - Resolution 2007-4 adopted authorizing the Facility Services Director, contingent upon County Counsel and Risk Management approval, to execute the master agreements, program supplemental agreements, fund exchange agreements and/or fund transfer agreements for the use of Federal funds under the Congestion Mitigation and Air Quality Program to be utilized for pedestrian pathways and landscaping along the north side of Douglas Boulevard in the Granite Bay area.
  - c. Sewer Maintenance District #1 - Resolution of Intention 2007-5 adopted setting the time and date to hold a public hearing to consider the annexation of property owned by Scott Pringle, APN 038-090-008 and 038-121-008, into the district. Subject project is located on Edgewood Road, Auburn.
18. PERSONNEL:
- a. Approved the Equal Employment Opportunity Program from January 1, 2007 through December 31, 2007.
  - b. ~~MOVED FOR DISCUSSION - Introduction of an ordinance, amending Chapter 3, Section 3-12-010, Appendix 1 and Section 3-12-020, revising the classification specification of Hunter-Trapper, which includes a title change from Hunter-Trapper to Wildlife Specialist.~~
  - c. ~~MOVED FOR DISCUSSION Approve the Jefferson Pilot Financial rate increase for the employer paid policy of Long Term Disability from \$ .37/\$100 to \$ .40/\$100 monthly payroll for the calendar year January 1, 2007 through December 31, 2007, effective January 1, 2007.~~
19. PROCUREMENT SERVICES - Authorized the Purchasing Manager to sign the following:
- a. Blanket Purchase Order #13295, Passenger Car, Truck & Heavy Equipment Tires/Public Works - Approved Change Order #2 with Auburn Tire, in the Amount of \$30,000.
  - b. Blanket Purchase Order #13427, Forensic Toxicology Laboratory Services/Sheriff - Approved Change Order #3 with National Medical Services, in the amount of \$12,000.
  - c. Blanket Purchase Order #14133, Consulting Services for PeopleSoft/ACORN System/Personnel - Amended blanket purchase order with FS Systems, in the maximum amount of \$30,000.

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- d. Contract, Placer County's 2007 Employee Assistance Program/Personnel - Approved first renewal of Contract #KNO20650 with Managed Healthcare Network, in the maximum amount of \$206,945.
  - e. Purchase Order, for Software Maintenance & Support/Information Technology - Approved purchase order with Accela, in the maximum amount of \$91,394.14, for the Land Development Permit Tracking System.
  - f. Purchase Order, Financial Information Services/Treasurer-Tax Collector - Approved blanket purchase order with Bloomberg L.P., in the maximum amount of \$95,000.
  - g. Purchase Order, Passenger Car, Truck & Heavy Equipment Tires/Public Works - Approved blanket purchase order with Auburn Tire Service, in the maximum amount of \$205,000.
  - h. ~~MOVED FOR DISCUSSION Purchase Orders, Recruitment Advertising Services/Various Departments - Approve the first renewal of three blanket purchase orders with Dulin Advertising, Inc., in the maximum aggregate amount of \$175,000.~~
20. PUBLIC WORKS:
- a. Auburn Folsom Road Widening Project - Resolution 2007-6 adopted approving the right-of-way contract and accepting the Highway Easement Deed from George and DeLores Bleekman for the project.
  - b. Lake Tahoe Park Erosion Control Project, Contract #73092 - Resolution 2007-7 adopted accepting the project as complete and authorized the Public Works Director to execute the notice of completion.
  - c. Signal Installation at Auburn-Folsom Road & Fuller Drive, Contract #73193 - Resolution 2007-8 adopted accepting the project as complete and authorized the Public Works Director to execute the notice of completion.
  - d. West Sunnyside Erosion Control Project - Approved Resolution 2007-9 adopting a Mitigated Negative Declaration (PCRE T20060687) with the required findings for the project.
21. REDEVELOPMENT AGENCY BOARD:
- a. Resolution 2007-10 adopted with findings, authorizing the purchase of property located at the corner of Highway 89 and Chipmunk Street, Kings Beach, Assessor Parcel Number 090-370-006, in the amount of \$178,500 plus closing costs; authorizing the expenditure of \$10,000 for environmental improvements, and authorizing the Chief Assistant CEO-Redevelopment Director, or designee, to sign all documents subject to approval by Agency Counsel.
  - b. Resolution 2007-11 adopted with findings, authorizing an agreement between the Redevelopment Agency and the Tahoe City Public Utility District, providing \$150,000 for the sewer pump station project located in the Tahoe City Marina, and authorizing the Chief Assistant CEO-Redevelopment Director, or designee, to execute the agreement subject to approval by Agency Counsel.

\*\*\*End of Consent Agenda\*\*\*

## Consent Items Moved for Discussion:

### 11. ORDINANCE - Second Reading:

- a. Personnel/Civil Service Commission - Ordinance 5448-B adopted amending Chapter 3, Section 3.12.020, Classified Service, for the classification of Flood Control & Water Conservation District Engineer. MOTION Uhler/Weygandt/Unanimous

Supervisor Uhler requested information about the purpose of the ordinance and associated costs. Nancy Nittler, Personnel Director, explained an increase was previously approved for Engineering Related Classifications and the salary range was missed. She said the ordinance will increase the salary range by 7.5% which will be offset by the department's increased revenue reserves payments. Next year the amounts will be included in the department's budget. Supervisor Uhler said this increase was the result of previous negotiations with the Public Employees Union. He requested more detail on future agenda items

### 12. BOARD OF SUPERVISORS:

- c. Approved minutes of December 5, 2006.  
MOTION Holmes/Weygandt/ VOTE 3:2 (Uhler, Rockholm abstain)

Supervisors Uhler and Rockholm abstained from voting because they were not on the Board at the time.

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## 18. PERSONNEL:

- b. Ordinance introduced, first reading waived, amending Chapter 3, Section 3.12.010, Appendix 1 and Section 3.12.020, revising the classification specification of Hunter-Trapper, which includes a title change from Hunter-Trapper to Wildlife Specialist. MOTION Uhler/Weygandt/Unanimous

Supervisor Uhler requested more information in the future on these types of items

- c. Approved the Jefferson Pilot Financial rate increase for the employer paid policy of Long Term Disability from \$.37/\$100 to \$.40/\$100 monthly payroll for the calendar year January 1, 2007 through December 31, 2007, effective January 1, 2007. MOTION Uhler/Weygandt/Unanimous

Supervisor Uhler requested more information in the future on these types of items. He said the rates seem higher than market. Nancy Nittler, Personnel Director, said currently there is a meeting with Jefferson Pilot regarding claim processing. She advised this is a new program for Placer County and staff is working with the Risk Management Division to review the American Disabilities Act (ADA) and Family Medical Leave Act to construct an expedited process to be more cost effective and get individuals the rights they deserve. Thomas Miller, County Executive Officer, explained the Board received a presentation about a year ago on the changes in management of workman's compensation and long term disability. Risk Management has made progress in reducing the case load and returning employees to the workforce.

## 19. PROCUREMENT SERVICES - Authorized the Purchasing Manager to sign the following:

- h. Purchase Orders. Recruitment Advertising Services/Various Departments - Approved the first renewal of three blanket purchase orders with Dulin Advertising, Inc., in the maximum aggregate amount of \$175,000.

Supervisor Uhler requested that acronyms be defined in the future. He asked if the costs of this blanket purchase order include media distribution. Nancy Nittler, Personnel Director, said the cost includes the design and placement of basic advertisements.

**BOARD OF SUPERVISORS** - Presentation of a Commemorative Coin to Ralph Roper, as personally chosen by Supervisor Holmes, District 3.

**PERSONNEL/CIVIL SERVICE COMMISSION (Second reading)** - Ordinance 5449-B adopted amending Chapter 3, Article 3.12, Section 3.12.030, implementing a 2% salary range increase for the County Executive Officer. MOTION Holmes/Weygandt VOTE 4:1 (Kranz No)

Nancy Nittler, Personnel Director, explained this is a second reading of an ordinance that was introduced at the December 19, 2006 meeting. The increase was requested by the Board following the County Executive's evaluation during Closed Session. The new range would cost \$5,298 annually. Chairman Kranz said he would be voting no because there is not an established program to provide for bonuses

**ADMINISTRATIVE SERVICES** - Acknowledged the Administrative Services Department, Procurement Services Division, for receiving a national "Achievement of Excellence in Procurement Award for 2006", presented by the National Purchasing Institute. MOTION Holmes/Rockholm/Unanimous

Clark Moots, Administrative Services Director, said this award, presented to Dave Seward, Purchasing Manager, recognizes organizational excellence in public procurement and is granted to agencies who exemplify innovation, professionalism, productivity, and leadership in the profession. This is the fourth year in a row that Placer County has received this award. He said that Dave Seward will become the President of the National Purchasing Institute in August 2007.

Dave Seward, Purchasing Manager, thanked staff and the Board for their assistance in achieving this level of service. The supervisors individually thanked Mr. Seward.

**ADMINISTRATIVE SERVICES/PROCUREMENT/BID #9624, VEHICLE FLEET PURCHASES PUBLIC WORKS** - Awarded to Mike Albert Leasing, Maita Chevrolet, Broadway Ford and Downtown Ford, in the aggregate amount of \$900,195.20. MOTION Uhler/Holmes/Unanimous

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**HEALTH & HUMAN SERVICES/ADULT SYSTEM OF CARE** - Renewed grant agreement with the U.S. Department of Housing and Urban Development to receive funds, in the amount of \$293,282, for permanent supportive housing under the Supportive Housing Program.  
MOTION Uhler/Weygandt/Unanimous

Maureen Bauman, Adult System of Care Director, explained this Federal grant matches existing and budgeted County funds of \$26,500. This is the fourth year that Adult System of Care has received funding from the Housing and Urban Development Continuum of Care Grant process. Persons with chronic and persistent mental illness that have stable housing are more able to achieve positive outcomes in their course of treatment. This grant will target 29 people, including single-adult mental health consumers and families with children and one non-disabled partner. Rental subsidy housing will be located throughout Placer County. Within the last year, 31 people have exited the program and 83% of them have moved successfully to greater independence. This year, 87 persons were interviewed for homeless programs. Currently, there are 18 single adults and 10 adults in families enrolled in this program, for a total of 28 participants. This award is for a 12 month period. Existing staff will be assigned to this program; there will not be a request for new staff positions. This contract was reviewed and recommended for approval by the Mental Health, Alcohol, and Drug Advisory Board.

Supervisor Uhler asked about the 10% match required of Placer County. Ms. Bauman replied this match is for supportive services costs.

**HEALTH & HUMAN SERVICES/COMMUNITY HEALTH** - Approved agreement with California Department of Health Services from August 31, 2006 through August 31, 2007, in an amount not to exceed \$989,746, for the Public Health Preparedness Comprehensive Agreement; signed required certification regarding Lobbying and Non-Supplantation Certification forms; approved budget revision, in the amount of \$276,600; and authorized the Health & Human Services Director to sign subsequent contract amendments and periodic certifications of the County's compliance with Non-Supplantation requirements. MOTION Uhler/Holmes/Unanimous

Dr. Michael Mulligan, Community Health Director, explained the California Department of Health Services receives categorical funding from the Centers for Disease Control (CDC) to improve the State's overall public health emergency preparedness. Each local health jurisdiction is required to submit a plan to achieve the goals established by the CDC. Since September 11, 2001 this funding has been passed to local health departments to increase the capacity and capability to respond to natural and manmade threats. The results of this funding to date include the development of staff to meet the CDC goals of prevention, detection, investigation, control and recovery. Staff has become highly integrated with the first responder and health care communities. They have performed joint drills, developed joint objectives, and approved preparedness for the citizens of Placer County. Another outcome of this funding is the expansion of the Public Health Lab from a Level II to a Level III Bio-Safety Lab. This lab is a local and regional resource. Approval of the budget revision is needed to record additional revenue and expenditures in the FY 2006/07 Community Health budget. The amount reflects additional categorical funding awarded to the County after the final budget was approved. No County contribution is required.

Supervisor Uhler asked about the relationship of funding and responsibilities. Dr. Mulligan clarified the Federal funds are passed to the State and a base amount is allocated to the counties with an additional amount for population. This has been a stable source of funding for five years.

**BOARD OF SUPERVISORS/REVENUE SHARING** - In approving the following appropriations, the Placer County Board of Supervisors makes the finding that each and every approved contribution serves a public purpose by promoting the general welfare of the County and its inhabitants; therefore, the County benefits.

Chairman Kranz explained to the new Board members his stance on Revenue Sharing. He said Revenue Sharing should not be determined by an individual supervisor. He recommended a future discussion to determine a better process for distributing these funds.

- a. Approved appropriation, in the amount of \$250, in Revenue Sharing monies to H. Clark Powers Elementary School for the purchase of a new kith, as requested by Supervisor Uhler.  
MOTION Uhler/Holmes VOTE 4:1 (Kranz No)

Supervisor Uhler stated he supported this revenue sharing request as it was verbally agreed upon during Supervisor Gaines' term

- b. Approved appropriation, in the amount of \$250, in Revenue Sharing monies to the Placer High School Grad Night Alive 2007, as requested by Supervisor Holmes.  
MOTION Holmes/Weygandt VOTE 4:1 (Kranz No)

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**LUNCH** – Placer County Administrative Center, 175 Fulweiler Avenue, Auburn – The Board made their 2007 Board & Commission Assignments, (per the approved assignment list on file with the Clerk of the Board), and discussed agenda scheduling and closed session.

**COMMUNITY DEVELOPMENT RESOURCE AGENCY/PLANNING/APPEAL/BURKE VARIANCE (THREE CHIEFS) PVAAT20040468:**

Denied request of the Squaw Valley Ski Corporation to continue the hearing to April 3, 2007. MOTION Holmes/Weygandt/Unanimous

Public hearing closed. Denied appeal of the Squaw Valley Ski Corporation, supported staff recommendations and approved the variance reducing the front setback requirement from 20' to 5', and reducing the waterway setback requirement from 100' from centerline of Squaw Creek to 55', to allow for construction of a single-family residence. The property (APN 096-030-043) is located 120' south of Granite Chief Road, in the Squaw Valley area, and is zoned LDR PD=10 (Low Density Residential and a Planned Development of 10 dwelling units per acre). Adopted the Mitigated Negative Declaration, Findings and Conditions (Attachment J) MOTION Uhler/Rockholm VOTE 3:2 (Holmes, Kranz No)

Michael Johnson, Planning Director, advised a letter was received from the applicant requesting the public hearing be continued to the April 3, 2007 meeting in Tahoe. He asked the Board to consider this request prior to staff's presentation.

Chairman Kranz said the Squaw Valley Municipal Advisory Council (MAC) held a special meeting at the project site on October 2, 2004, along with many other meetings to discuss the issues. The Squaw Valley Municipal Advisory Council did not support the project and the Planning Commission held a well vetted public hearing. He supported hearing the appeal today.

Tom Malley, Squaw Valley Ski Corporation, requested the Board continue the hearing to allow the Board to do a site review.

Jim Rinstrow, KB Foster Civil Engineering representing Three Chiefs, requested the appeal be resolved today. He said the process has already taken four years and further delay would jeopardize the ability to begin construction this summer, if the project was approved. The Planning Commission held a hearing and unanimously denied the appeal and approved the project with the variance. There is a letter from the homeowners association supporting the project.

The Board denied the request for a continuance.

Mike Wells, Planning, presented a PowerPoint showing the location and constraints of the 6,100 square foot lot where Mr. Burke proposes to build a three level single family residence. With all of the setbacks, there is only 775 square feet of buildable area on the lot. Mr. Burke is requesting a variance to reduce the front setback from 20 feet to five feet and the back setback from 100 feet to 55 feet. Mr. Burke owns an irregular shaped parcel that provides legal access from Granite Chief Road to the property. He explained the entitlement history for this parcel, the approval of the Zoning Administrator, the Planning Commission's denial of the appeal and staff's response to the issues regarding the appeal. Environmental Review was required on the project. He said staff has concluded that there are no merits to the issues raised by the appellant. The Planning Commission considered the same issues and voted unanimously to deny Ski Corporation's appeal and approve the setback variance and the Mitigated Negative Declaration that was prepared for this entitlement. No new information was provided in the appeal that would necessitate reversing the Planning Commission's action. He explained the project meets requirements necessary to grant relief with a variance. The Granite Chief Homeowners Association voted in favor of the project. Mr. Wells said staff recommends that the Board adopt the Mitigated Negative Declaration and deny the appeal, thereby approving the variance, based on findings.

Anthony La Bouff, County Counsel, clarified that the current density requirements, used by the appellant, are not applicable to this lot because it was created prior to 1983.

Supervisor Holmes asked why the project's impacts to Squaw Creek were being compared to the failure of a sedimentation pond associated with the ski resort. Mike Wells responded there are contrasting potential impacts from development of the site and any impacts that might arise would not be as bad as the current impacts.

Supervisor Holmes asked if the pedestrian pathway across the ski slope would create a liability for Placer County. Anthony La Bouff said the granting or approval of permits by the governing Board or for the County is not a basis for liability. That does not mean there will not be litigation, but the County has a strong case against the issue. Supervisor Uhler said that we are not granting access, the applicant owns a parcel that crosses the ski slope and therefore has legal access.

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Tom Kelly, Squaw Valley Ski Corporation representative, presented a PowerPoint that explained the basis of their appeal. He said the project does not abide by the Squaw Valley General Plan, design approval was not obtained by Architectural Committees of the Homeowner's Association, the applicant's "right" to do what they propose has not been confirmed, significant environmental impacts remain unmitigated, therefore a full Environmental Impact Report (EIR) should be required, and there are other concerns with the project. He said making an exception for this project would set precedence for future development and the proposed structure (2083 square feet) is 169% larger than current Placer County guidelines allow. Mr. Kelly pointed out the steep slope on the project site and how that would impact water quality. He said the Squaw Valley Municipal Advisory Council (MAC) the Homeowner's Association, Friends of Squaw Creek and the Fire Department have not been given architectural review of the project. Mr. Kelly questioned the front setbacks being sufficient, proposed parking, pedestrian access legal route and likely route, and summer road access. He said there is a blind hill right before the pedestrian access area where it crosses the ski slope.

Paul Minasian, Squaw Valley Ski Corporation Attorney, described the project's impacts to Placer County. He said the lots in question were not created by a parcel or subdivision map, a landowner recorded an instrument without mapping or approval. These lots should not be exempt from the bedroom density limitations because of an oversight in 1960. A cabin could be built on this lot that is consistent with the Granite Chief Subdivision. The Squaw Valley MAC and the Architectural Committee of the Granite Chief Homeowner's Association should be able to decide what could be built on this site. The Squaw Valley MAC disapproved a structure of this size and configuration. A full EIR is not requested but environmental impacts should be examined to determine policy. The Fire Department disapproved of parking cars in a road turn-a-round area across the ski slope. It would be "good policy" to approve the appeal and either request the applicant perform a full EIR and mitigate for the impacts or get approval from the Granite Chief Architectural Committee and the Squaw Valley MAC. He said Squaw Valley Ski Corporation is worried about quality of construction, public safety, and Best Management Practices (BMPs) being relied upon without an EIR.

Supervisor Uhler asked for Mr. Minasian's reasoning for claiming the lot was created by accident. Mr. Minasian replied the lot was not approved as part of a subdivision map or parcel map nor was there County approval of the division of this property in the 1960s. He said the County ordinance refers to "Residential Subdivision Lots" not parcels to receive exemption from the bedroom density limitations. Supervisor Uhler said he had not seen a dispute against the legality of the parcel in the appeal. Mr. Minasian replied that it is staff's opinion that this is a residential subdivision lot. Supervisor Uhler rebutted the claim of size inconsistency by talking about similar sized houses in the area. Mr. Minasian said this project is double the size of the ten closest houses.

Jim Rienstra, KB Foster representing Three Chiefs, presented a PowerPoint that reviewed: location and background, vehicle and pedestrian access, safety, environmental impacts and aesthetics. He said this lot was legally formed in 1960. Regarding access, an easement was obtained from the owner of Lot 021 adding four additional feet to Lot 034 (the lot that crosses the ski slope) for a total pedestrian access width of eight feet. There are other residences that use Lot 34 to access their lots. He showed how the house would not be in the way of the ski run nor pose any safety hazards. He said further down the slope there is a major pedestrian crossing area for people to access the ski lifts. He said the environmental documents address the issues and the proposed BMPs adequately mitigate any potential impact to Squaw Creek. Mr. Rienstra showed pictures of residences in the vicinity that are within 100 feet of Squaw Creek. Chairman Kranz pointed out that none of the residences were up a steep slope from the creek and therefore could be mitigated easier.

Franz Webber, Olympian and Six Time World Speed Skiing Champion, said he owns two parcels involved in this appeal and has an option to buy the third parcel. He showed slides and a video that support skier and pedestrian safety. Chairman Kranz asked how long Mr. Webber had owned the parcel. Mr. Webber said he purchased the property eight years ago and plans to build the house with Mr. Burke. Chairman Kranz asked if the setbacks changed since Mr. Webber purchased the property. Mr. Webber said no. Chairman Kranz replied that Mr. Webber relied on the chance of having a variance approved in order to build a house and had concerns about adjusting setbacks. Chairman Kranz asked if Mr. Webber could combine the parcels and built a house with the existing setbacks. Mr. Webber said the reason for having the three parcels is to have architectural continuity and he is not sure if the third lot can be built on. One of the parcels is owned by a partnership, Three Chiefs and Mr. Webber is only a partial owner.

Chairman Kranz asked if Lahontan Regional Water Quality Control Board had comments on the creek variance request. Jim Rienstra answered that Lahontan would not issue a permit for this type of project because there is less than 10,000 square feet of disturbance. Although the project still has to comply with every element of the Lahontan Basin Plan and Placer County's Grading Ordinances. A program of BMPs to prevent any sediment from reaching Squaw Creek has been indicated in the Environmental Document Preliminary Plans.

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Chairman Kranz questioned the adequacy of parking and if the fire department approved the parking area and access. Jim Rienstra said parking is tight but there is adequate space on the parcel owned by Mr. Burke to park two cars. He said, to his knowledge, the fire department has not opposed the project. The project needs to meet the Placer County Fire Safe Ordinance and there is adequate fire truck access. Anthony La Bouff pointed out the letter from the Squaw Valley Fire Department (January 2003) in the agenda package requested denial of the parking variances.

Chairman Kranz expressed concern about fire safety, parking, the applicant's knowledge of the existing setbacks, and the request for extreme variances. Supervisor Uhler explained that variances are needed when setbacks are created after the lots are established. Supervisor Rockholm supported the use of variances when they are appropriately applied. Franz Webber said that he was unaware of the Squaw Creek setback because of an adjoining parcel's existing structure.

Jim Rienstra submitted a letter of support from the Granite Chief Property Owners Association dated December 2006.

Wes Zicker, Engineering and Surveying, said that prior to 1960 a residential lot could be created in many different ways and there are many legal conforming lots that were not created by a subdivision map. From an engineering perspective, the 100 foot setback (from a perennial stream) in the flatlands is for flood protection. Chairman Kranz asked if Lahontan could change any aspect of this project after Board approval. Mr. Zicker said if the County can show that the best BMPs have been implemented, that staff will inspect the site and the BMPs are maintained, Lahontan should approve.

Andrew Lange, Squaw Valley resident, said the creek setback is to help protect the creek, view corridor and allow access. He requested the Board give more credibility to the Squaw Valley MAC. Mr. Lange handed out a letter from another resident opposing the project.

Charles Pendrell, President of the Granite Chief Estate Property Owners Association, was concerned about the precedence this project would set. He said there are other creek side homes that were built in 1958 that will be going through the permitting process to improve and develop their lots. The Property Owners Association wants the homeowners to be able to develop to the full extent of their legal right. Chairman Kranz asked why their position is so different than the Squaw Valley MAC's. Mr. Pendrell said that none of the MAC members reside in Granite Chief. He said the fire department and residents have greater access to these properties now because the homeowners keep the roads clear with a snow plow. Michael Johnson clarified the denial letter from the fire department was filed for the previous parking variance application and is not part of this variance request. They did not respond to the current application.

Supervisor Uhler said he was a ski coach at Squaw Valley and is pleased to see it turning into a world class resort. He said this type of residence is consistent with what should be in Placer County and this home is considered small by most standards. He was troubled by Squaw Valley Ski Corporation being against the development that adds to the ski resort. He said this project would not impair skier safety. The applicant has met the spirit of what was intended when the subdivision was approved.

Supervisor Weygandt agreed with the parcel's special circumstances and the mitigation done for this variance request. He supported the development to enhance the area.

Supervisor Rockholm said he was raised in the Kings Beach area and watched the area grow into a world class destination. He supported the project.

Chairman Kranz said community input received states there are major concerns about the project. The property owner knew the restrictions of the property at the time of purchase. He said a smaller home would be more appropriate for the lot and setbacks.

Anthony La Bouff pointed out the recommendations of staff start on Page 11 of the packet includes numerous findings and a handout of Conditions received by the Board in the hearing.

Supervisor Rockholm stated his vote is neither against Squaw Valley Ski Corporation nor in favor of the applicant. He thinks ultimately the project will work.

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## COUNTY COUNSEL/CLOSED SESSION REPORT:

### (A) §54956.9 - CONFERENCE WITH LEGAL COUNSEL

(1) Existing Litigation:

(a) Western Placer Citizens for an Agricultural and Rural Environment (WPCARE), vs. County of Placer/Teichert, et al., Court of Appeal, Third Appellate District, 3 Civil No. C049364, Placer County Superior Court Case No: SCV-15349 - *The Board received a status report on the successful outcome of the Western Placer Citizens against the County of Placer and Teichert.*

(B) §54957.6 - CONFERENCE WITH LABOR NEGOTIATOR - *The Board met with its Labor Negotiators to discuss one item with regard to PPEO and an additional item with regard to DSA and gave direction to its negotiators.*

(a) Agency negotiator: CEO/Personnel Director, Employee organization: PPEO/DSA/Management

(C) §54957 - PUBLIC EMPLOYEE APPOINTMENT - *Interim appointment of Troy Held.*

Title: Appointment of Interim Department Head/Child Support Services

**ADJOURNMENT** - There being no further business, the Board adjourned. Next regular meeting is Tuesday, January 23, 2007.

## ATTEST:

\_\_\_\_\_  
Ann Holman  
Clerk of the Board

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Bruce Kranz, Chairman  
Placer County Board of Supervisors

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Melinda Harrell  
Senior Board Clerk

